

REMARKS/ARGUMENTS

Entry of the amendments is proper under 37 CFR 1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issues requiring further search and/or consideration (because the amendments amplify issues previously discussed throughout the prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. Entry of the amendments is thus respectfully requested.

In section 3 on pages 3-7, the Office Action rejects claims 1-8, 10-30, 34 and 36 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,676,138 to Zawilinski in view of U.S. Patent No. 6,400,996 to Hoffberg et al. (hereinafter "Hoffberg"). This rejection is respectfully traversed.

Claim 1 recites, "a reporting device that delivers results of the analysis of the sensor signal after a predetermined quantity of the television programming has been displayed." Similarly, claims 11 and 34 recite, "delivering a result of the associating after the one or more distinct segments." Claims 2-8, 10, 12-30, and 36 depend from claims 1, 11 and 34, respectively.

It is respectfully submitted that neither Zawilinski nor Hoffberg disclose, teach or suggest the subject matter quoted above from the rejected claims.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-8, 10-30, 34 and 36 as allegedly being unpatentable over Zawilinski in view of Hoffberg be withdrawn.

In section 4 on page 8, the Office Action rejects claims 31 and 32 under 35 U.S.C. §103(a) as allegedly being unpatentable over Zawilinski in view of Hoffberg and further in view of U.S. Patent No. 5,774,591 to Black et al. (hereinafter "Black"). This rejection is respectfully traversed.

Claims 31 and 32 are allowable based at least on their dependence from claim 11 for the reasons stated above in connection with claim 11. Black fails to overcome the deficiencies in Zawilinski and Hoffberg described above.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 31 and 32 as allegedly being unpatentable over Zawilinski in view of Hoffberg and further in view of Black be withdrawn.

In section 5 on page 9, the Office Action rejects claims 33 and 38 under 35 U.S.C. §103(a) as allegedly being unpatentable over Zawilinski in view of Hoffberg and further in view of U.S. Patent Publication No. 2003/0101449 to Bentolila et al. (hereinafter "Bentolila"). This rejection is respectfully traversed.

Claims 33 and 38 are allowable based at least on their dependency from claims 11 and 34 for the reasons stated above in connection with the rejection of claims 11 and 34. Bentolila fails to overcome the deficiencies in Zawilinski and Hoffberg described above.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 33 and 38 as allegedly being unpatentable over Zawilinski in view of Hoffberg and further in view of Bentolila be withdrawn.

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In section 6 on pages 9-10, the Office Action rejects claim 37 under 35 U.S.C. §103(a) as allegedly being unpatentable over Zawilinski in view of Hoffberg and further in view of U.S. Patent Publication No. 2003/0005431 to Shinohara. This rejection is respectfully traversed.

Claim 37 is allowable based at least on its dependence from claim 34 for the reasons stated above in connection with the rejection of claim 34. Shinohara fails to overcome the deficiencies in Zawilinski in Hoffberg described above.

For at least the foregoing reasons it is respectfully requested that the rejection of claim 37 as allegedly being unpatentable over Zawilinski in view of Hoffberg and further in view of Shinohara be withdrawn.

Conclusion

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the correspondence attorney listed below in order to expeditiously resolve any outstanding issues.

Respectfully submitted,
KRAMER & AMADO, P.C.



Terry W. Kramer
Registration No.: 41,541

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KRAMER & AMADO, P.C.
1725 Duke Street, Suite 240
Alexandria, VA 22314
Phone: 703-519-9801
Fax: 703-519-9802

DIRECT ALL CORRESPONDENCE TO:

Yan Glickberg— Registration No.: 51,742
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9618
Fax: (914) 332-0615